

R. ALEXANDER ACOSTA, Secretary of  
Labor, Department of Labor,

VS.

Defendants,

AND NOW, this 2<sup>nd</sup> day of April, 2018, after the Plaintiff filed a Complaint on June 30, 2017, (Docket No. [1]), and Defendants SX Management, LLC and Steven Mitnick filed a Motion to Dismiss or, in the alternative, Motion for a More Definitive Statement on October 3, 2017, (Docket No. [3]), to which Plaintiff submitted a Brief in Opposition on October 26, 2017, (Docket No. [17]) and Defendants filed a Reply on November 9, 2017, (Docket No. [19]), and after a Report and Recommendation was filed by the United States Magistrate Judge on March 15, 2018, (Docket No. [20]), recommending that such Motion be denied, and granting the parties until March 29, 2018, to file written objections thereto, and no objections having been filed by the Court's deadline, and upon independent review of the record,

1

as the Opinion of this Court;

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss [3] is DENIED,  
for the reasons stated in said Opinion.

*s/Nora Barry Fischer*  
Nora Barry Fischer  
United States District Judge

cc/ecf: All counsel of record.  
Chief Magistrate Judge Maureen P. Kelly